

**PROCEDURE FOR SETTING HEARINGS ON EXPEDITED BASIS
AS REQUIRED BY THE BANKRUPTCY ABUSE PREVENTION AND
CONSUMER PROTECTION ACT OF 2005 (the "BAPCPA")**

The BAPCPA contains a number of provisions for an expedited hearing ("Expedited BAPCPA Hearings"). See, *inter alia*, 11 U.S.C. § § 362(c)(3); 362(c)(4); 362(h)(2); 362(l)(2); 362(m); 521(a)(2)(A); 521(a)(6); 521(i)(4); 727(a)(12); 1112(b)(3); 1116(3); 1228(f); 1328(h).

To the extent that an Expedited BAPCPA Hearing is required under any section of the BAPCPA, including those sections set forth above, for which the regular period of notice required by Local Bankruptcy Rule 9014-1 is not appropriate, the following procedure shall apply in the Fresno Division for setting hearings.

1. Expedited BAPCPA hearings may be set on no fewer than seven (7) calendar days notice in either Dept. A or Dept. B, regardless of to which department the case is assigned. The caption of each document associated with a motion brought under this procedure shall clearly state "Expedited BAPCPA Motion."
2. Consult the self-set calendar dates under "Expedited BAPCPA Hearings" to obtain an appropriate date and time. Unless the period of notice required by LBR 9014-1 is given, no Expedited BAPCPA Hearing shall be held on the regular Law and Motion calendar.
3. If no Expedited BAPCPA Hearing date is available on the self-set calendar within the time required by BAPCPA, and allowing at least seven (7) calendar days notice, then it will be necessary to seek an order shortening time. See, LBR 9014-1(f)(3). An application for order shortening time shall describe the provision of BAPCPA requiring an expedited hearing and the reason why the scheduled dates are not sufficient.
4. Expedited BAPCPA Hearings will be evidentiary hearings, at which witnesses may testify. No telephonic appearances will be permitted in Fresno cases, absent order on written application. For Bakersfield cases, if it is necessary to use a Fresno Expedited BAPCPA Hearing Date, telephonic appearances will generally be permitted on written application.
5. If you have any questions regarding the above procedures, please contact the calendar department at 559-498-7220.

**EXPEDITED BAPCPA HEARING DATES
FOR BOTH DEPTS. A AND B**

ALL HEARINGS WILL BE HELD AT 11:00 A.M.

FRESNO

Nov. 16, 2005
in Dept. B

Nov. 21, 2005
in Dept. A

Nov. 30, 2005
in Dept. B

Dec. 7, 2005
in Dept. A

Dec. 14, 2005
in Dept. B

Dec. 21, 2005
in Dept. A

Jan. 4, 2006
in Dept. B

Jan. 11, 2006
in Dept. A

Jan. 18, 2006
in Dept. A

Jan. 25, 2006
in Dept. B

Feb. 1, 2006
in Dept. A

Feb. 8, 2006
in Dept. B

Feb. 15, 2006
in Dept. A

Feb. 22, 2006
in Dept. B

BAKERSFIELD

Nov. 16, 2005

Dec. 7, 2005

Dec. 14, 2005

Jan. 11, 2006

Jan. 25, 2006

Feb. 1, 2006

Feb. 22, 2006